

**TOWN OF BEAUX ARTS VILLAGE
ORDINANCE NO. 268**

AN ORDINANCE OF THE TOWN OF BEAUX ARTS VILLAGE
REGULATING SOLICITATION OF SALES OF MERCHANDISE OR
SERVICES ON PRIVATE PROPERTY WITHIN THE TOWN;
AND REPEALING ORDINANCE NO. 56.

**BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF BEAUX ARTS
VILLAGE, WASHINGTON, AS FOLLOWS:**

Section 1. Uninvited Solicitation Declared a Nuisance. The act of going upon private property, not having previously been requested or invited to do so by the owners or occupants of said private property, for the purpose of soliciting the sale of merchandise or services, or for the purpose of soliciting or requesting contributions or any payment of money, is hereby declared to be a nuisance and punishable as such as a civil infraction.

Section 2. Exemptions. The provisions of Section 1 of this ordinance shall not apply to:

- A. Any farmer, gardener, or other person while soliciting, selling, delivering, or peddling milk, dairy products, poultry, eggs, fish, meats, fruits, vegetables, honey, or other farm and garden edible produce so far as the sale of these named commodities is authorized by law; or
- B. Any charitable, religious, or nonprofit organization or corporation that has received tax-exempt status under IRC paragraph 501(c)(3), 26 USCA 501(c)(3), as adopted or amended; or
- C. Any person selling newspapers, the chief aim of which is the dissemination of current, general news; or
- D. Any person acting on behalf of a school or school district.

Section 3. Prohibited Practices.

- A. It is unlawful for any person allowed to engage in solicitation under the provisions of Section 2 to do so within the Town of Beaux Arts Village except between the hours of 10:00 am and 7:00 pm; and
- B. It is unlawful for any person allowed to engage in solicitation under the provisions of Section 2 to go upon any private property that prominently displays a “No Solicitors” or “No Peddlers” sign or any other similar sign that communicates the occupants’ desire not to be contacted by solicitors; and
- C. It is unlawful for any person allowed to engage in solicitation under the provisions of Section 2 to fail to display picture identification upon the request of any homeowner, occupant, or police officer.

Section 4. Penalty for Violation. Any person violating any provision of this ordinance shall, upon conviction thereof, be guilty of a civil infraction punishable by a fine of up to \$500 per violation. It shall be a separate violation for each and every day or portion thereof during which any violation of any provision of this ordinance is committed.

Section 5. Repealer. Ordinance No. 56, passed by the Council on October 7, 1968, is hereby repealed.

Section 6. Validity. If any section, paragraph, clause, or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Council hereby declares that it would have passed this ordinance and each section, paragraph, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, paragraphs, clauses, or phrases subsequently may be found by competent authority to be unconstitutional or invalid.

Section 7. Effective Date. This ordinance shall take effect five (5) days after its passage and publication.

PASSED BY THE COUNCIL OF THE TOWN OF BEAUX ARTS VILLAGE on the 11th day of March, 1997.

Mayor

ATTEST:

APPROVED AS TO FORM:

Administrative Coordinator

Town Attorney

I certify that copies of the above ordinance were posted as required by law in the Town of Beaux Arts Village, Washington, on the ____th day of _____, 199__.

Sue Ann Spens
Administrative Coordinator